



Department of Energy

ROCKY FLATS FIELD OFFICE
P.O. BOX 928
GOLDEN, COLORADO 80402-0928

AUG 08 1995

95-DOE-14066

Mr. Martin Hestmark
U. S. Environmental Protection Agency, Region VIII
ATTN: Rocky Flats Project Manager, 8HWM-RI
999 18th Street, Suite 500, 8WM-C
Denver, Colorado 80202-2405

Mr. Joe Schieffelin, Unit Leader
Hazardous Waste Facilities
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, Colorado 80222-1530

Gentlemen:

This letter documents our attempts to convene the Dispute Resolution Committee as required for the Operable Unit 1 (OU 1) dispute process, and to request milestone extension. By letter, dated June 30, 1995, DOE provided it's portion of the joint statement of dispute and recommended not delaying elevation of the dispute. By letter, dated July 7, I stated that the period for informal resolution had expired and the dispute was before the DRC for consideration. By letter, dated July 25, 1995, your agencies provided your portions of the joint statement of dispute and unilaterally extended the time period for DRC consideration until August 18, 1995, and proposed meeting the week of August 14, 1995.

We have been working with your agencies to schedule the DRC meeting. Jessie Roberson is available to meet the week of August 7, or August 21, but not available most of the week of August 14 due to commitments related to the Environmental Remediation 1995 Conference (ER'95). Since the week of August 7, did not fit the schedule for your respective agencies, we are now attempting to finalize August 25, ~~8:00~~ ^{2:00} a.m. to ~~11:00~~ ^{4:00} a.m. at the Environmental Protection Agency (EPA) for the meeting.

If the timelines mandated by the Interagency Agreement (IAG) had been followed, the dispute would have been before the SEC for consideration on July 27, 1995, with a final decision this week. Future IAG milestones are now in jeopardy as a result of the time lost during the Dispute Resolution process. Specifically, the IAG milestone for delivery of the Responsiveness Summary to Public Comment on the OU1 Proposed Plan (PP) is due to the Regulatory agencies on September 19, 1995. The Proposed Plan will be finalized based on the outcome of the Dispute Resolution process. Thereafter, a sixty day Public Comment period and Public Hearing/meeting will be held, and any comments addressed in the draft Responsiveness Summary. Also, out-year milestones such as the Draft Title II design (currently due September 5, 1995), will be affected by the outcome at the Dispute Resolution process, and will need to be adjusted accordingly.

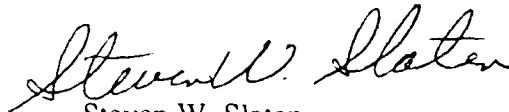
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As a result of the delay caused by the Dispute Resolution process and extensions, a good cause schedule extension is requested pursuant to Part 42, section 221 and 222(C) of the IAG. The length of the extension will depend on the outcome of the dispute process, but will at a minimum, be day for day slip for the length of the Dispute Resolution process.

If you have any questions please call me at 966-4839.

Sincerely,

A handwritten signature in cursive script, reading "Steven W. Slaten".

Steven W. Slaten
IAG Project Coordinator
Environmental Restoration

cc:

K. Klein, OOM, RFFO
T. Howell, OCC, RFFO
J. Ahlquist, EM-452, HQ
C. Gesalman, EM-453, HQ
B. Fraser, EPA
R. Card, K-H
R. Shelton, K-H
L Brooks, K-H